

HONORABLE ANN AIKEN

**LAWRENCE JAMES SACCATO**  
Plaintiff ProSe'

Vs.

**U.S. BANK NATIONAL ASSOCIATION N.D.,**  
Defendant

**STEPHANIE BUCKLEY,**  
Co-Defendant

**CHRISTOPHER KAYSER,**  
Co-Defendant

Does 1 through 5

[illegible]

Case No: 6:13-CV-00173-AA

DECLARATION OF LAWRENCE  
JAMES SACCATO IN  
SUPPORT OF PLAINTIFF'S  
MOTION TO STRIKE THE  
DECLARATION OF RICHARD  
MARTINO IN SUPPORT OF  
DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

I, LAWRENCE JAMES SACCATO, make the following declaration to the U.S. District Court for the District of Oregon.

1. I am the Plaintiff in the pending action *Lawrence James Saccato v U.S. Bank National Association, ND*, US District Court Case No. 6:13-00173-AA.
2. On or about 5/10/2011, I obtained a copy of my credit report from Equifax a credit reporting agency. The report showed that US Bank had accessed the report on 02/01/2011, see exhibit PE A Pgs. 1-2, a true and correct copy attached. The access was during the litigation of case no. 6:10-cv-06244.
3. On or about 12/9/2010, I obtained a copy of my credit report from Transunion a credit reporting agency. The report in the Account Review Inquiries section showed no inquiry by U.S. Bank for the period of 07/2009 thru 11/2010, see exhibit PE A Pgs. 3-4, a true and correct copy attached.

4. On or about 04/14/2010, I obtained a copy of my credit report from Equifax a credit reporting agency. The report in the Account Review Inquiries section showed no inquiry by U.S. Bank for the period of 05/2009 thru 04/2010, see exhibit PE A Pgs. 3-4, a true and correct copy attached.
5. Upon review of my credit reports and during pending litigation I discovered Defendant U.S. Bank was listed as accessing my credit report on February 1, 2011 without my permission.
6. Upon receiving a copy of the Defendant's motion for summary judgment and the declaration of Richard Martino, Doc #23, I discovered erroneous and inaccurate information in Mr. Martino's declaration.
7. I have not been allowed to depose Mr. Martino and dispute portions of Para. 5 & 7 in his declaration.
8. I believe that portions of Mr. Martino's declaration are erroneous, inaccurate and untruthful. See exhibits PE A Pgs. 1-6 attached herewith.

I Declare Under Penalty Of Perjury That The Foregoing Is True And Correct.

Executed this 31<sup>st</sup> day of May, 2013.

LAWRENCE SACCATO  
Lawrence James Saccato pro se'  
C/o 6387 Old Hwy 99 S  
Roseburg Oregon 97470  
541-784-2284 mess.  
Ljsaccato@gmail.com

# EQUIFAX

## CREDIT FILE : May 10, 2011

**Personal Identification Information** (This section includes your name, current and previous addresses, and any other identifying information reported by your creditors.)

Name On File: Lawrence James Saccato  
Social Security # [REDACTED] Date of Birth: [REDACTED]  
Current Address: [REDACTED] Reported: 04/2010  
Previous Address(es): [REDACTED] 97470 Reported: 04/2011  
Last Reported Employment: Lawrence J Sacc;  
Previous Employment(s): [REDACTED]

**ALERT(s):** File Blocked For Promotional Purposes

**Confirmation # 1130040240**

**Please address all future correspondence to:**



www.investigate.equifax.com



Equifax Information Services LLC  
PO Box 105285  
Atlanta GA 30348



(800) 270-3435  
M - F 9:00am to 5:00pm in your time zone.

In order to speak with a Customer Service Representative regarding the specific information contained in this credit file, you must call **WITHIN 60 DAYS** of the date of this credit file **AND** have a copy of this credit file along with the confirmation number.

EXHIBIT PE A1

Company Information	Inquiry Date(s)
AR-US Bank Na 55402-4303 601 2nd Ave S Minneapolis, MN	02/01/2011 ←
ND-Equifax 30374-0250 PO Box 740250 Atlanta, GA	12/09/2010
AR-VISA Dsnb 45040-8999 9111 Duke Blvd Mason, OH	08/04/2010
ND-Lexisnexis::SUBLIMITY INS CO AGE 1000 Alderman Dr Insurance P&C Agent Alpharetta, GA 30005-4101	04/13/2010

Exhibit DE A2

Exhibit PE A3

**Account Review Inquiries**

The companies listed below obtained information from your consumer report for the purpose of an account review or other business transaction with you. These inquiries are not displayed to anyone but you and will not affect any creditor's decision or any credit score (except insurance companies may have access to other insurance company inquiries and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

**GE MONEY BANK/AMAZON PLC**

PO BOX 981432  
EL PASO, TX 79998-1432  
(866) 634-8379  
**Requested On:** 11/2010

**GEMB LENDING INC**

2995 RED HILL AVE  
COSTA MESA, CA 92626  
(800) 404-2647  
**Requested On:** 11/2010

**DISCOVER FINCL SVC LLC**

2500 LAKE COOK RD  
RIVERWOODS, IL 60015-3851  
(800) 347-2683  
**Requested On:** 11/2010

**NORTHSTAR PRIM CRED CRDS**

4285 GENESEE STREE  
CHEEKTOWAGA, NY 14225  
Phone number not available  
**Requested On:** 11/2010

**BANK OF AMERICA CARD SER**

655 PAPER MILL ROA  
MS/DES-013-02-02  
NEWARK, DE 19713  
(866) 352-1681  
**Requested On:** 10/2010

**PORTFOLIO RECOVERY ASSOC**

140 CORPORATE BLVD  
NORFOLK, VA 23502  
Phone number not available  
**Requested On:** 10/2010

**CBUSA/SEARS**

701 E 60TH ST NORT  
PO BOX 6241  
SIOUX FALLS, SD 57117  
(800) 917-7700  
**Requested On:** 10/2010

**PORTFOLIO RECOVERY ASSOC**

120 CORPORATE BLVD  
NORFOLK, VA 23502  
Phone number not available  
**Requested On:** 09/2010

**COLLECT AMERICA**

370 17TH ST STE 50  
DENVER, CO 80202-5622  
(303) 296-3345  
**Requested On:** 09/2010

**Permissible Purpose:** TO ACQUIRE/SERVICE  
/INSURE ACCOUNT

**THE BRACHFELD LAW GROUP**

800 W SAM HOUSTON  
SUITE 200  
HOUSTON, TX 77042  
Phone number not available  
**Requested On:** 08/2010

Exhibit PE A 4

**PORTFOLIO RECOVERY ASSO**140 CORPORATE BLVD  
NORFOLK, VA 23502  
Phone number not available

Requested On:

07/2010

**MIDLAND CREDIT MGMT INC**8875 AERO DR STE 2  
SAN DIEGO, CA 92123  
(800) 265-8825

Requested On:

07/2010

Permissible Purpose: COLLECTION

**EQUABLE ASCENT FINANCIAL**ONE NORTHBROOK PLA  
5 REVERE DRIVE, ST  
NORTHBROOK, IL 60062  
(847) 418-2081

Requested On:

07/2010

**CAVALRY PORTFOLIO SVCS**500 SUMMIT LAKE DR  
STE 4A  
VALHALLA, NY 10595  
(800) 501-0909

Requested On:

07/2010

**EQUABLE ASCENT FINANCIAL**ONE NORTHBROOK PLA  
5 REVERE DRIVE, ST  
NORTHBROOK, IL 60062  
(847) 418-2081

Requested On:

07/2010

**ARS NATIONAL**201 WEST GRAND  
ESCONDIDO, CA 92025  
Phone number not available

Requested On:

05/2010

**AFFINION - PRIVACYGU via CREDCO**100 CONNETTICUT AVE  
NORWALK, CT 06850  
(866) 990-7328

Requested On:

04/2010

Permissible Purpose: CONSUMER INITIATED  
TRANSACTION**STATE FARM INS-26A**4600 25TH AVE NE  
SALEM, OR 97313  
(503) 463-3000

Requested On:

04/2010

Permissible Purpose: INSURANCE  
UNDERWRITING**DISCOVER FINANCIAL SERVI**2500 LAKE COOK ROA  
RIVERWOODS, IL 60015  
Phone number not available

Requested On:

02/2010

**STATE FARM INS-26A**4600 25TH AVE NE  
SALEM, OR 97313  
(503) 463-3000

Requested On:

11/2009

Permissible Purpose: INSURANCE  
UNDERWRITING**GRYPHON**3715 DAVINCI COURT  
STE 200  
NORCROSS, GA 30092  
Phone number not available

Requested On:

10/2009

**EQUABLE ASCENT FINANCIAL**ONE NORTHBROOK PLA  
5 REVERE DRIVE, ST  
NORTHBROOK, IL 60062  
(847) 418-2081

Requested On:

10/2009

**NCO FINANCIAL SYSTEMS**507 PRUDENTIAL ROA  
HORSHAM, PA 19044  
Phone number not available

Requested On:

07/2009

**Special Messages****PROMOTIONAL OPT-OUT:** This file has been opted out of promotional lists supplied by TransUnion

(Note: This statement has no expiration date.)

The opt-out on your file will remain in effect until the expiration date specified above, unless you request it to be made permanent. To permanently opt out of promotional lists provided by TransUnion, you must send us a signed 'Notice of Election' form, which can be obtained by writing us or calling us at 800-916-8800 and speaking with a representative.



Company Information	Inquiry Date(s)
First Advantage Credco/ 12395 First American Way Affinion/Prvgrd Powsy, CA 92064-6897	04/13/2010
ND-Choicepoint::SUBLIMITY INS CO AGE 1000 Alderman Dr Insurance P&C Agent Alpharetta, GA 30005-4101	04/13/2010
AR-US Bank Na 601 2nd Ave S Minneapolis, MN 55402-4303	04/06/2010
AR-Sears/Cbsd PO Box 6282 Sioux Falls, SD 57117-6282	03/10/2010
Dish Network 9601 S Meridian Blvd Bldg 1 Floor 3 Cmo Englewood, CO 80112-5905	02/16/2010
AR-Macy's Dsnb 9111 Duke Blvd Mason, OH 45040-8999	02/04/2010
AR-Gemb Lending Inc. 3355 MICHELSON DR 3355 Michelson Dr 2nd Fl IRVINE, CA 92612 Phone: (800) 404-2647	12/31/2009
AR-Gemb/Amazon Plcc PO Box 981432 El Paso, TX 79998-1432 Phone: (866) 634-8379	12/31/2009
AR-Citi SD- The Home Depot 541 Sid Martin Rd Citibank Gray, TN 37615-6210	12/25/2009
AR-Gemb/RV PO Box 6153 Rapid City, SD 57709-6153 Phone: (866) 220-9432	11/26/2009 09/10/2009
AR-Gemb/Lowes PO Box 981400 C811 El Paso, TX 79998-1400 Phone: (800) 444-1408	11/13/2009
AR-Capone Bank PO BOX 9180 PLEASANTON, CA 94588	08/02/2009
AR-Citi Cards Cbsdna 701 E 60th St N Sioux Falls, SD 57104-0432	07/12/2009
AR-Advanta Bancorp 1020 Laurel Oak Rd Voorhees, NJ 08043-3505	06/10/2009
AR-Capital One PO Box 26030 Richmond, VA 260-6030	05/28/2009

( On Next Page )

Exhibit PE A 5

Company Information	Inquiry Date(s)
AR-FIA Csna 655 Papermill Rd MS1332 Wilmington, DE 19884-1510	05/07/2009

Exhibit PE AL



## CERTIFICATE OF SERVICE

I hereby certify that a copies of the forgoing Plaintiff's Motion to Strike Declaration of Richard Martino, and Supporting Declaration of Lawrence James Saccato for Case # 6:13-cv-00173-AA, was sent by First Class Mail with postage prepaid through the United States Post Office to:

Clerk of the Court  
Wayne L. Morse  
United States Courthouse  
405 East Eighth Avenue  
Eugene, Oregon 97401

David A. Jacobs  
LUVAAS COBB  
777 High Street Ste 300  
Eugene, Oregon 97401

William L. Larkins, Jr.  
Larkins Vacura LLP  
621 SW Morrison St. Suite 1450  
Portland, Oregon 97205

They were deposited in the United States Post Office in Roseburg, Oregon on May 31, 2013.

LAWRENCE SACCATO  
Lawrence James Saccato, Plaintiff  
c/o 6387 Old Highway 99 S  
Roseburg, Oregon 97471  
541-784-2284 mess.  
ljsaccato@gmail.com